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BRYCE A. JONES

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BURGESS, BARBARA N

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Art Unit: 2457



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/477,991
Filing Date: January 5, 2000
Appellant(s): Bryce A. Jones

Brian L. Arment, Reg. No. 64,134
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed March 5, 2012.

(1) Grounds of Rejection to be Reviewed on Appeal

Every ground of rejection set forth in the Office action dated August 17, 2011 from which the appeal is taken is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

(2) Response to Argument

Appellant argued in substance that:

(a) In the rejection of claims 166-167, 169-172, 176-177, 179-182, Goss fails to teach a cookie included in a voice call originating from a user device is processed to route the voice call from the user device to a first call center resource.

In response, Applicant's argument filed has been fully considered but not persuasive.

In response to Applicant's argument that Goss fails to teach the above limitation, Examiner notes that the Applicant's Specification (Summary of Invention, Detailed Description) describing the invention does not support a "voice call". The limitation "voice call" is not described in such a manner to support the claimed limitation.

Applicant's Specification discloses a "web call" request being received from a communication device (see Specification, page 5, line 30, page 6, lines 1-3). Hence, Examiner relies on the definition of "voice call" from the Specification as an Internet session for exchanging information using call treatment or videoconferencing treatment

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(Specification, page 3, lines 12-17, page 5, lines 10-13). Applicant confirms this definition in Arguments/Remarks Made in an Amendment dated January 15, 2008 stating "thus, the term web call applies to both video conferencing (video conference treatment) and voice calls (call treatment); in other words, one type of web call is a voice call" (see Arguments/Remarks, January 15, 2008, page 5).

Goss teaches a call routing system for locating and reserving skilled agents in a call center before transferring or routing calls, messages, or conferences between a customer and agent. A Contact Server receives a contact request and/or inbound call from a customer's Internet device using a web browser. The request and/or call are communicated via data communications over the Internet, voice telephony over the Internet, or video conference over the Internet. If an appropriate agent is not available, the request is queued and the Contact Server provides call-back services at a later time. However, when an agent is immediately available to handle the request and/or call, the agent is placed in synch with the customer via the website from which the initial request was made. The agent can perform visible tasks on the agent's web browser while the customer views these tasks (Goss, column 2, lines 21-23, 42-53, column 4, lines 1-6, column 9, lines 1-5, 20-36, 59-62, column 15, lines 14-20). This embodiment is similar to that of an online chat session where the customer sends an online chat request to chat with an appropriate and available agent. In fact, according to Goss, an on-line chat can replace an actual telephone call (column 9, lines 61-62).

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It is not at all times that a call-back service is used. When an agent is readily available, the request is routed to that agent. If no agent is available, the request can be routed to a different call center to handle the request (column 14, lines 33-40, 48-67).

Goss also teaches a Click-n-Connect embodiment enabling a customer browsing a website to select an option to contact an agent with an IP telephone call. When this option is selected, the call is initiated and routed to a qualified agent. If no agent is available, the call is held in a queue (column 13, lines 65-67, column 14, lines 1-10, 15-31).

Goss further teaches the Contact Server uses information from cookies (information from the session between the customer's browser and the Server are stored in the cookies) to select and direct the request to an appropriate and qualified agent. Goss states, "The Web Server maintains a session with the customer browser over the Internet using cookies or other session maintenance technology. This way, when the customer submits a call-back request, the Web Server can identify that customer for the purpose of matching the call-back request to a qualified agent" (column 2, lines 3-5, 32-36, 40-43, column 5, lines 21-30, column 7, lines 62-67, column 8, lines 42-45)

Therefore, Goss undoubtedly discloses a cookie included in a voice call originating from a user device is processed to route the voice call from the user device to a first call center resource.

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(b) In the rejection of claims 168 and 178, Dunn fails to teach the voice call comprise a Get Document request in Hyper Text Transfer Protocol (HTTP).

In response, Applicant's argument filed has been fully considered but not persuasive.

In response to Applicant's argument that Dunn fails to teach the above limitation, Examiner provides the following evidence.

Dunn teaches the user accessing additional information from a business website, such as Eckerd Drug Store's website, by pointing and clicking hypertext with a mouse. The user requests connection with a local representative of the business via the business website. A directory is accessed to retrieve this information and the information is returned to the user. The server is able to transfer data between Eckerd and the user to provide the user with whatever desired service and/or information that is requested (column 1, lines 43-45, column 2, lines 38-45, column 4, lines 52-65, column 5, lines 49-53, column 6, lines 23-30).

Although Goss is not cited for teaching a Get Document request in HTTP, Goss teaches allowing customers to access trouble ticket system to get trouble ticket information. The customer accesses the company's website and requests access to the trouble ticket system to view the status of their tickets. During the browsing of the trouble ticket system, the customer can request to communicate to an agent to discuss the tickets, billing, payment, etc. (column 7, lines 1-3, 40-44, column 8, lines 1-7, column 17, lines 33-34, column 18, lines 4-10, column 20, lines 38-45).

Therefore, the combination of Goss and Dunn indeed discloses the voice call comprise a Get Document request in Hyper Text Transfer Protocol (HTTP).

(c) In the rejection of claims 175 and 185, Ma does not qualify as prior art since the subject matter of Ma teaching the use of cookies is not found in parent application 6,553,113 having priority date before the filing date of the present application.

In response, Applicant's argument filed has been fully considered but not persuasive.

In response to Applicant's argument that Ma fails to teach the above limitation,

Examiner provides the following evidence.

Ma (7,536,002) is not cited for teaching cookies because this feature is taught by Goss.

Ma ('002) is cited to show a web service application being selected based on monitored interactions by a customer that are saved to provide the customer with a more appropriate web service (the same way cookies are used).

This feature is also taught in the parent application (see Ma application 6,553,113, column 1, lines 43-51, column 6, lines 40-45, column 8, lines 1-15).

Therefore, the Ma reference (7,536,002) definitely qualifies as prior art being that the subject matter relied on is also found in the parent application (6,553,113).

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(d) Claims 173 and 183, while separately allowable over the art of record, depend from otherwise allowable independent claim 166 and 176.

In response, Applicant's argument filed has been fully considered but not persuasive.

In response to Applicant's argument, see section (a) above.

(e) Claims 174 and 184, while separately allowable over the art of record, depend from otherwise allowable independent claim 166 and 176.

In response, Applicant's argument filed has been fully considered but not persuasive.

In response to Applicant's argument, see section (a) above.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Barbara Burgess

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